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09/762,772	02/13/2001	Hideharu Ogawa	45023-1001	7906

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EXAMINER

NGUYEN, KIM T

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/762,772

Applicant(s)

Ogawa

Examiner

Kim Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 10, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-11 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6 20) ☐ Other: _____

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DETAILED ACTION

The preliminary amendment filed on May 10, 2001 (paper No. 6) has been received and considered. By this amendment, claim 8 has been canceled, claims 9-11 have been added, and claims 1-7, and 9-11 are now pending in the application.

Specification

1. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(1). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colley (U.S. Patent No. 5,283,733).
 - a. As per claim 1-2, Colley discloses a score management system which comprises: mobile terminals 5 (Fig. 1) and a score management server 3 (Fig. 1) are connected to each other via wireless communication (col. 3, lines 8-16). The score management server receives and transmits

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score status from/to the mobile terminal (col. 3, lines 60-68; and col. 4, lines 1-2), receives and updates the score data from the mobile terminal (col. 4, lines 17-18; and col. 3, lines 55-59); the mobile terminal transmits and receives the score data to/from the management server (col. 3, lines 60-65; and col. 5, lines 26-27), displays the score data (col. 3, lines 66-68; col. 4, lines 1-2 and 37-39), and transmits the request for inputting the score data to the score management server (col. 4, lines 17-18).

Colley does not explicitly disclose storing the score data in the score management server. However, Official Notice is taken that storing score data in a memory of a server would have been old and well known in the art. See In Re Malcolm 1942 C.D.589: 543 O.G.440. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a well known memory to the score management server 3 (Fig. 1) of Colley in order to facilitate storing and managing score data of the player's terminals.

b. As per claim 3, since Colley discloses transmitting score status data to a mobile terminal (col. 3, lines 60-68), Colley inherently discloses a transmission controller for controlling transmission of score data. Colley does not explicitly disclose transmitting the score status data in response to the update of the score data. However, Colley discloses the capability to transmit the update score data to the mobile terminal and the capability to transmit real time score data (col. 3, lines 63-65). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to transmit the real time updated score data to the mobile terminal in response to the update of the score data in order to inform the player the up-to-date scores.

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- c. As per claim 4, Colley does not explicitly disclose including an input area data to the score status data. However, arranging scores in a specific location on a display would have been well known to a person of ordinary skill in the art at the time the invention was made. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an input area data to the score status data in order to indicate the specific location in which the score data will be displayed. Since arranging score data in a specific area on a display according to a designer's preference requires only routine skill in the art.
- d. As per claim 5-7, refer to discussion in claims 2-4 above. Since Colley discloses a score management server that performs the same function as the claimed method of claims 5-7, an ordinary person skilled in the art at the time the invention was made would be able to derive a program to be stored in a computer recording medium to perform the function of the score management server of claims 2-4.
- e. As per claim 9-11, Colley does not explicitly disclose using a data recording medium such as a compact disc, a floppy disk, a hard disk, etc. to store a computer program. However, Official Notice is taken that using a data recording medium such as a compact disc, a floppy disk, a hard disk, etc. to store a computer program would have been old and well known in the art. See In Re Malcolm 1942 C.D.589: 543 O.G.440. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a well known recording medium to the system of Colley in order to store an executable program to manage the score management server.

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Cited prior arts

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - i. Moriarty et al (U.S. 6,062,991) discloses a wireless communication between a score management server and the mobile terminals, and memories to store software programs score data (col. 5, lines 7-59).
 - ii. Born et al (U.S. 5,949,679) discloses golf scoring computer system which includes a score management server and remote computers (abstract).
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 7:30AM to 5:30PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace, can be reached on (703) 308-4119. The fax phone number for this Group is (703) 308-7768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.



Kim Nguyen
Patent Examiner
March 22, 2002